

# Notice of Allowability

Application No.

10/763,851

Examiner

Michael Trettel

Applicant(s)

STRYKER ET AL.

Art Unit

3673

## -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to communication of 4/21/04.
2. ☒ The allowed claim(s) is/are 18-31.
3. ☒ The drawings filed on 23 January 2004 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☐ All b) ☐ Some\* c) ☐ None of the:
    1. ☐ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.  
**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
  6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
    - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
      - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
    - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

### Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date 04/21/04
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date \_\_\_\_\_
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other \_\_\_\_\_

  
Michael Trettel  
Primary Examiner  
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***Examiner's Amendment***

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

The first line of the specification has been changed to read as follows:

--This is a division of Serial No. 10/192 405, filed July 10, 2002, now U.S. Patent No. 6,725,479.--

Claims 1 to 17 and 32 have been deleted, as authorized by the unentered preliminary amendment of January 23, 2004.

***Reasons For Allowance***

The following is an examiner's statement of reasons for allowance: The prior art fails to show or suggest the use of a patient support with a receptacle support that includes both a frame mounted upon a guideway and a track mounted upon the frame that allows for additional extension of the receptacle. The closest references found by the examiner in a search of the prior art are the cited patents to Feldt (US 4,821,350) and Fenwick (US 4,411,035). Both references show patient supports that have receptacles mounted upon an extendable frame member which slide the receptacle out from under a seat section of the support. In Feldt the receptacle 72 is mounted upon a set of arms 68, 70 that extend downwardly from a sliding frame member formed

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by side members 29 and cross struts 30, 32. The receptacle includes a flanged lip which engages the arms 68, 70 which allows the receptacle to be additionally extended relative to the sliding frame member. However, the arms 68, 70 can not be considered to form a track extending parallel to the longitudinal path of the sliding frame. Fenwick shows a sliding receptacle support arrangement best shown in Figure 11. The receptacle 57 is fixedly mounted at the ends of arms 51 which are slidably received within tracks formed within arms 50, the arms 50 are pivotally mounted upon pivot 52 to the framework of the bed. The arms 50 form a supporting frame with a track for the receptacle, but they are not supported upon the bed's framework for movement along a longitudinal path parallel the framework..

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."


The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Speed, Weil, Edwards et al, and Feldt (US 4,615,058) show patient supports that include longitudinally movable frame sections or receptacles which are of general interest.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Michael Trettel whose telephone number is (571) 272-7052. The examiner can normally be reached on Monday, Tuesday, Thursday, or Friday from 7.30 am to 5.00 pm.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Heather Shackelford, can be reached on (571) 272-7052. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-308-1113.

  
Michael Trettel  
Primary Examiner  
Art Unit 3673